

**IDAHO BOARD OF COSMETOLOGY**  
**Bureau of Occupational Licenses**  
700 West State Street, P.O. Box 83720  
Boise, ID 83720-0063

**Board Meeting Minutes of 6/6/2016**

**BOARD MEMBERS PRESENT:** Debra J Hummel - Chair  
Merrilyn Cleland  
Geneal Thompson  
Linda Swope

**BUREAU STAFF:** Tana Cory, Bureau Chief  
Dawn Hall, Administrative Support Manager  
Lori Peel, Investigative Unit Manager  
Maurie Ellsworth, General Counsel  
Eric Nelson, Board Prosecutor  
Roger Hales, Naylor & Hales  
Kim Aksamit, Technical Records Specialist I

**OTHERS PRESENT:** Lou Starita, Katie Parkinson, Laurie Rowen,  
Margarita Castellanos, Ronda Clark, Kris Ellis,  
Rick Evans, Ryan Evan, Rick Fuger, Kevin Moriarty,  
Penny Gruber and LaDonn Goodfellow

The meeting was called to order at 8:35 AM MDT by Debra J Hummel.

**APPROVAL OF MINUTES**

Ms. Swope made a motion to approve the minutes of February 1, 2016 and March 28, 2015 as written. It was seconded by Ms. Cleland. Motion carried.

**LEGISLATIVE REPORT**

Ms. Cory gave the legislative report. The Board's request for additional inspectors was approved in the 2016 Legislature and the inspectors will be hired this summer. The Board's law change to align with fee changes made in 2015 to Idaho Code 67-2614 was approved by the Legislature and will go into effect July 1, 2016.

The Board was also reminded that any new proposed law changes are due to the Governor's Office by August 1; and any proposed rule changes are due the third week in August for the 2017 Legislature.

## **FINANCIAL REPORT**

Ms. Hall gave the financial report, which indicated that the Board has a cash balance of \$1,315,909.32 as of 05/30/2016.

## **DISCIPLINE**

## **MEMORANDUM**

Mr. Nelson presented a memorandum regarding case numbers COS-2016-142, COS-2016-140, COS-2016-127, COS-2016-99, COS-2016-83 and COS-2016-141. The Board made its recommendations to its prosecuting attorney.

COS-2016-128 Ms. Swope made a motion to close the case with a warning letter. It was seconded by Ms. Cleland. Motion carried.

COS-2016-64 Ms. Swope made a motion to close the case and send it to the Idaho Board of Barber Examiners. It was seconded by Ms. Thompson. Motion carried.

## **CONSENT ORDERS**

Mr. Nelson, presented several Stipulation and Consent Orders on cases COS-2016-9, COS-2016-10, COS-2016-11, COS-2016-19, COS-2016-55/56, COS-2016-57, COS-2016-64/65, COS-2016-69, COS-2016-105/106, COS-2016-107/108, COS-2016-109/110, COS-2016-119/120, COS-2016-123 and COS-2016-126. Ms. Swope made a motion to accept the Stipulation and Consent Orders as signed and to authorize Ms. Hummel to sign on behalf of the Board. It was seconded by Ms. Cleland. Motion carried.

Ms. Hummel recused herself from COS-2016-69.

COS-2016-69 Ms. Cleland made a motion to accept the Stipulation and Consent Order as signed and to authorize Ms. Swope to sign on behalf of the Board. It was seconded by Ms. Thompson. Motion carried.

## **FINAL ORDER**

COS-2016-27 Ms. Thompson made a motion to approve the Findings of Facts, Conclusions of Law and Final Order and to authorize Ms. Hummel to sign on behalf of the Board. It was seconded by Ms. Swope. Motion carried.

COS-2016-34/35 Ms. Thompson made a motion to approve the Findings of Facts, Conclusions of Law and Final Order and to authorize Ms. Hummel to sign on behalf of the Board. It was seconded by Ms. Swope. Motion carried.

## **INVESTIGATIVE REPORT**

Ms. Peel presented the investigative report, which is linked above.

### **FOR BOARD DETERMINATION**

Ms. Swope made a motion to approve the Bureau's recommendation and to authorize closure in the following cases with warning letters: I-COS-2016-54, I-COS-2016-95, and I-COS-2016-96; I-COS-2016-116; I-COS-2016-120; I-COS-2016-123; I-COS-2016-126; I-COS-2016-180; I-COS-2016-181; I-COS-2016-191 and I-COS-2016-192. It was seconded by Ms. Cleland. Motion carried.

Ms. Swope made a motion to approve the Bureau's recommendation and to authorize closure in cases I-COS-2016-16; I-COS-2016-44; I-COS-2016-55; I-COS-2016-120; I-COS-2016-168. It was seconded by Ms. Cleland. Motion carried.

### **DISCIPLINARY ACTION**

Ms. Peel, presented several Stipulation and Consent Orders on cases COS-2016-118, COS-2016-22/23, COS-2016-24, COS-2016-25/26, COS-2016-28/29, COS-2016-32/3, COS-2016-43, COS-2016-48/49, COS-2016-51/52, COS-2016-70, COS-2016-73, COS-2016-74, COS-2016-80, COS-2016-82/82, COS-2016-84/85, COS-2016-88, COS-2016-89, COS-2016-92, COS-2016-93, COS-2016-94/95, COS-2016-100/101, COS-2016-102/103, COS-2016-104, COS-2016-111, COS-2016-116/117, COS-2016-124, COS-2016-125, COS-2016-130/131, COS-2016-132, COS-2016-136/137, COS-2016-138/139, COS-2016-143/144, COS-2016-146/147. Ms. Swope made a motion to accept the Settlement Orders as signed and to authorize Ms. Hummel to sign on behalf of the Board. It was seconded by Ms. Cleland. Motion carried.

### **MEMORANDUM**

Ms. Peel presented a memorandum regarding case numbers COS-2016-90 and COS-2016-91; COS-2016-96 and COS-2016-97, COS-2016-104; COS-2016-113, COS-2016-114 and COS-2016-115. The Board made its recommendations.

COS-2016-86 and COS-2016-87 Ms. Swope made a motion to send a warning letter. It was seconded by Ms. Thompson. Motion carried.

### **REPORT FROM ECHO LUNDEBERG**

The Board reviewed a report submitted by Echo Lundeborg.

### **OLD BUSINESS**

To Do List – The Board reviewed the to do list and no action was taken.

## **REPORT FROM SUBCOMMITTEE**

Mr. Hales reported on the subcommittees.

Mr. Hales reported that the subcommittee of Ms. Hummel and Ms. Swope is working on an exemption regarding demonstration permits. The subcommittee will continue to work on this.

Mr. Hales reported that the subcommittee of Ms. Cleland and Ms. Thompson is working on an exemption regarding theatrical makeup. The subcommittee will continue to work on this.

Mr. Hales reported that the scope of practice expansion is usually done by an Association.

Mr. Hales will continue to work with the subcommittees.

## **BOARD STRUCTURE**

Ms. Hummel reported that she has been in discussion with Mr. Moriarty, Chair of the Idaho Barber Examiners regarding combining the two Boards. Mr. Moriarty was in attendance to meet with the subcommittee.

## **NEW BUSINESS**

## **NEXT MEETING**

The Board scheduled a conference call for Monday July 25, 2016.

Ms. Swope made a motion to schedule the next meeting for October 3, 2016 at 8:30 AM MST at the Bureau of Occupational Licenses 700 West State Street Boise, Idaho 83702. It was seconded by Ms. Cleland. Motion carried.

## **PUBLIC COMMENT**

Mr. Evans with Evans College of Beauty reported that he has been voted in as the President of the School Owners Association.

## **CORRESPONDENCE**

The Board reviewed correspondence from an individual regarding The Board of Commissioners of the National Accrediting Commission of Career Arts & Sciences, Inc. (NACCAS) 2016 Town Hall Forum invitation. No action was taken.

## **EXECUTIVE SESSION**

Ms. Swope made a motion to go into executive session per Idaho Code 67-2345 (1) (d), to consider records that are exempt from disclosure under the Idaho Public Records Law. The purpose of the executive session was to discuss licensure applications. It was seconded by Ms. Cleland. Motion carried. The vote was: Ms. Hummel, aye; Ms. Cleland, aye; Ms. Thompson, aye; and Ms. Swope, aye.

Ms. Cleland made a motion to come out of executive session. It was seconded by Ms. Swope. Motion carried. The vote was: Ms. Swope, aye; Ms. Hummel, aye; Ms. Cleland, aye; and Ms. Thompson, aye.

## **APPLICATIONS FOR LICENSE**

Ms. Swope made a motion to accept the applications for Jennifer Stombaugh, Lance Barnes, Jessica Lewis, Tyra Clements and issue licenses. It was seconded by Ms. Cleland. Motion carried.

Ms. Cleland made a motion to have Lori Young take the full examination and issue a license once the examination has been successfully passed. It was seconded by Ms. Thompson. Motion carried.

Ms. Cleland made a motion to accept the application for Melissa Umbaugh and issue a license. It was seconded by Ms. Swope. Motion carried.

Ms. Swope made a motion to accept the application for applicant 901079102 pending additional information. It was seconded by Ms. Cleland. Motion carried.

Ms. Swope made a motion to accept the applications for Nhan Tran, Thien Tran, Thao Vo and Phong Vo and issue licenses. It was seconded by Ms. Cleland. Motion carried.

## **APPRENTICESHIPS**

Ms. Cleland made a motion to accept the apprenticeship applications for Hoa Vo, Phi Tran, Mimi Huynh, Lexi Walmer, Tristan Medley and Jennifer Anderson. It was seconded by Ms. Thompson. Motion carried.

Ms. Cleland made a motion to accept the apprenticeship applications for Sang Vo, Lam Vo and Tien Phan once it is determined that they salon meets the student instructor ratio. It was seconded by Ms. Thompson. Motion carried.

Ms. Swope made a motion to table the application for applicant 901142472 until documentation of 3 years of work experience in the last 5 years can be determined or the examination is passed. Once information is submitted, it can be reviewed by the Board Chair. It was seconded by Ms. Thompson. Motion carried.

Ms. Swope made a motion to accept the application for Aveda Institute Boise. It was seconded by Ms. Thompson. Motion carried.

## **ADJOURNMENT**

Ms. Thompson made a motion to adjourn the meeting at 11:20 AM MDT. It was seconded by Ms. Swope. Motion carried.

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Debra J Hummel, Chair

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Merrilyn Cleland

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Geneal Thompson

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Linda Swope

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Tana Cory, Bureau Chief